UNITED
NATIONS

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Security Council

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S/1999/1175
15 November 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE

(for the period from 16 May to 15 November 1999)

I. INTRODUCTION

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the past six months in pursuance of the mandate contained in Security Council resolution 350 (1974) and extended in subsequent resolutions, most recently by resolution 1243 (1999) of 27 May 1999.

II. SITUATION IN THE AREA AND ACTIVITIES OF THE FORCE

2. During the period under review, the ceasefire in the Israeli-Syrian sector was maintained without serious incident, and the Force's area of operation remained calm. The Force supervised the area of separation by means of fixed positions and patrols to ensure that no military forces were in it. It also carried out fortnightly inspections of armament and force levels in the areas of limitation. Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides denied inspection teams access to some of their positions and imposed restrictions on the Force's freedom of movement. Renewed efforts are under way to have those restrictions eased.

3. The Force assisted the International Committee of the Red Cross with facilities for mail and the passage of persons through the area of separation. Within the means available, medical treatment was provided to the local population upon request.

4. Minefields in the area of operation, especially in the area of separation, continue to be a concern. On 12 September 1999, UNDOF evacuated a Syrian shepherd, who had been injured after stepping on a mine.

5. As at November 1999, UNDOF comprised 1,053 troops from Austria (368), Canada (189), Japan (45), Poland (358) and Slovakia (93). The Force was assisted by 78 military observers of the United Nations Truce Supervision Organization (UNTSO). Major General Cameron Ross continued as Force Commander. A map showing the Force's deployment is attached.

III. FINANCIAL ASPECTS

6. By its resolution 53/226 of 8 June 1999, the General Assembly appropriated an amount of $35,351,308 gross, equivalent to a monthly rate of $2,945,942 gross, for the maintenance of the Force for the period from 1 July 1999 to 30 June 2000. Therefore, should the Council decide to extend the mandate of UNDOF, the cost of maintaining the Force during the extension period would be limited to the monthly rate approved by the General Assembly.

7. As at 31 October 1999, unpaid assessments to the Special Account for UNDOF, for the period from the inception of the Force to 30 November 1999, amounted to $53.8 million. Total outstanding assessed contributions for all peacekeeping operations as at the same date amounted to $1,761.2 million.

IV. IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 338 (1973)

8. In deciding in its resolution 1243 (1999) to renew the mandate of UNDOF for a further period of six months, the Security Council also called upon the parties concerned to implement immediately its resolution 338 (1973), and requested the Secretary-General to submit, at the end of the period, a report on the developments in the situation and the measures taken to implement that resolution. The search for a peaceful settlement in the Middle East and, in particular, the efforts undertaken at various levels to implement Security Council resolution 338 (1973) were dealt with in my report on the situation in the Middle East (A/53/550), submitted in pursuance of General Assembly resolution 52/54 of 9 December 1997.

V. OBSERVATIONS

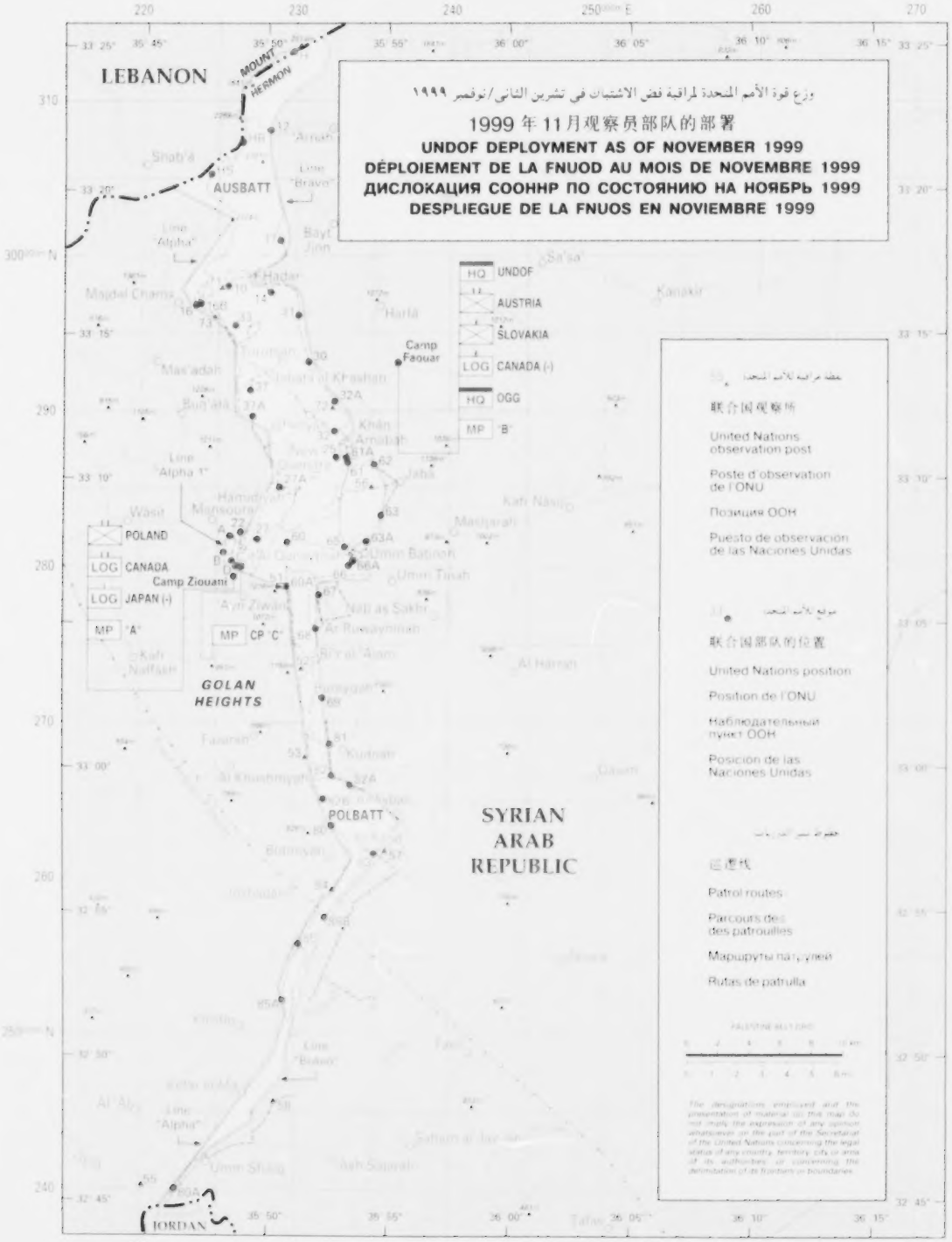
9. UNDOF, which was established in May 1974 to supervise the ceasefire called for by the Security Council and the agreement on disengagement between Israeli and Syrian forces of 31 May 1974, has continued to perform its functions effectively, with the cooperation of the parties. The situation in the Israeli-Syrian sector has remained quiet and there has been no serious incident.

10. Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects, with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

11. In the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 31 May 2000. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

12. In making this recommendation, I must draw attention to the serious shortfall in the funding of the Force. At present, unpaid assessments amount to $53.8 million. This sum, far larger than the current annual budget of UNDOF, represents money owed to Member States that contribute the troops who make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear all remaining arrears.

13. In conclusion, I wish to pay tribute to Major General Ross and to the men and women serving with UNDOF. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those that provide the UNTSO military observers assigned to the Force.


وزع قوة الأمم المتحدة لمراقبة فض الاشتباك في تشرين الثاني/نوفمبر ١٩٩٩
1999 年 11 月观察员部队的部署
UNDOF DEPLOYMENT AS OF NOVEMBER 1999
DÉPLOIEMENT DE LA FNUOD AU MOIS DE NOVEMBRE 1999
ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА НОЯБРЬ 1999
DESPLIEGUE DE LA FNUOS EN NOVIEMBRE 1999
LEBANON
MOUNT HERMON
AUSBATT
Line "Bravo"
Line "Alpha"
Line "Alpha 1"
Camp Faouar
Camp Ziouani
GOLAN HEIGHTS
POLBATT
SYRIAN ARAB REPUBLIC
JORDAN
HQ UNDOF
AUSTRIA
SLOVAKIA
LOG CANADA (-)
HQ OGG
MP "B"
POLAND
LOG CANADA
LOG JAPAN (-)
MP "A"
MP CP "C"
United Nations observation post
Poste d'observation de l'ONU
Позиция ООН
Puesto de observación de las Naciones Unidas
United Nations position
Position de l'ONU
Наблюдательный пункт ООН
Posición de las Naciones Unidas
Patrol routes
Parcours des des patrouilles
Маршруты патрулей
Rutas de patrulla
The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Map No. 2916 Rev. 46 UNITED NATIONS
November 1999

Department of Public Information
Cartographic Section

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GENERAL

S/1999/1176
16 November 1999

ORIGINAL: ENGLISH

LETTER DATED 16 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the statement of the Ministry for Foreign Affairs of Georgia related to the situation in north Caucasus (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

99-35102 (E) 161199 161199

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Annex

[Original: Russian]

STATEMENT BY THE MINISTRY OF FOREIGN AFFAIRS OF GEORGIA

In connection with information circulated by the mass media of the Russian Federation concerning a statement by the Ministry of Defence of the Russian Federation alleging that Georgia "has decided to set up in its territories a government-in-exile of Chechnya headed by Aslan Maskhadov, as well as some groups of fighters ...", the Ministry of Foreign Affairs of Georgia is authorized categorically to refute these fabrications as being slanderous and completely unfounded.

In this connection, the Embassy of Georgia in the Russian Federation has been informed that it will shortly receive from the Russian Federation exhaustive explanations as to whether this provocative statement is in fact attributable to a highly placed official representative of the Supreme Council of the Russian Federation.

In any case, there are grounds for stating that certain forces are aiming to undermine the good-neighbourly relations between the Russian Federation and Georgia, which must never under any circumstances be allowed.

Georgia has reason seriously to suspect that the ultimate goal of the authors of such fabrications is to involve Georgia in the conflict in the northern Caucasus. This is demonstrated by the ever-increasing wave of groundless accusations that the leadership of Georgia is aiding and abetting terrorists.

The Ministry of Foreign Affairs of Georgia urges the Russian Federation to take decisive steps to halt these provocative actions.

Tbilisi, 10 November 1999

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NATIONS

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GENERAL

S/1999/1177
17 November 1999

ORIGINAL: ENGLISH

LETTER DATED 17 NOVEMBER 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait pursuant to paragraph 10 of Security Council resolution 1242 (1999) of 21 May 1999 (see annex). The report was approved by the Committee on 17 November 1999.

(Signed) A. Peter VAN WALSUM
Chairman
Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

99-35136 (E) 171199

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Annex

Report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995)

I. INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 10 of its resolution 1242 (1999) of 21 May 1999, in which the Committee was requested, in close coordination with the Secretary-General, to report to the Council prior to the end of the 180-day period beginning on 25 May 1999 on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995) of 14 April 1995. The present report, the twelfth of its kind, covers the Committee's major activities with regard to the implementation of the above arrangements during the second 90-day period of phase VI of the oil-for-food programme since paragraph 1 of resolution 1242 (1999) came into force on 25 May 1999.

II. SALE OF PETROLEUM AND PETROLEUM PRODUCTS

2. Since the beginning of phase VI, the export of petroleum from Iraq has proceeded smoothly, with excellent cooperation among the oil overseer, the independent inspection agents (Saybolt), the Iraqi State Oil Marketing Organization and the national oil purchasers.

3. The overseers continued to advise the Committee on the oil-pricing mechanisms, oil contract approval and modifications, management of the revenue objective and other pertinent questions related to export and monitoring under Security Council resolutions 986 (1995), 1175 (1998), 1242 (1999) and 1266 (1999). With the adoption, on 4 October 1999, of resolution 1266 (1999), the Council authorized States to permit the import of petroleum and petroleum products originating in Iraq up to an additional sum of $3.04 billion for phase VI, equivalent to the total shortfall of revenues authorized but not generated under resolutions 1210 (1998) and 1153 (1998), beyond that already provided for by resolution 1242 (1999).

4. As at 10 November 1999, the Committee, on the recommendation of the overseers, had reviewed and approved a total of 80 oil contracts for the sale of oil in phase VI, involving purchasers from 34 countries. The total quantity of oil approved for export under those contracts was approximately 391 million barrels for phase VI. All contracts submitted used the pricing mechanisms approved by the Committee, on the recommendation of the overseers.

5. As at 10 November, 273 liftings, totalling 357.8 million barrels worth $6,692 million, have been completed. Letters of credit opened for each of the liftings were reviewed and confirmed by the overseer in accordance with the terms and conditions of the approved contracts. About 43 per cent of the liftings were made at Ceyhan, Turkey, and this proportion will remain about the

same until the end of phase VI. The Committee will continue to monitor this situation closely. The total estimated revenue for phase VI should be around $7.3 billion, including the pipeline fees valued at $207 million.

6. The overseers have worked with the independent inspection agents (Saybolt) to ensure the effective monitoring of the relevant oil installations and the liftings. The overseers received full cooperation from the Iraqi authorities.

7. Pursuant to paragraph 2 of the procedures of the Committee (S/1996/636), 410 national oil purchasers, who are authorized to communicate directly with the overseer, have been nominated from 63 countries.

8. Pursuant to paragraph 14 of the procedures of the Committee, the overseers have continued to report once a week on the contracts considered by them concerning the sale of petroleum originating in Iraq, including the cumulative quantity and approximate value of petroleum authorized for export. To date, 151 reports have been submitted to the Committee.

9. As mentioned in the Committee's previous report (S/1999/907, para. 11), there was only one oil overseer on duty as from 1 July 1999, and the situation remains unchanged as at today. His hard work is appreciated by the members of the Committee, who will continue to work towards filling the vacancies in the overseer team as provided for in paragraph 1 of the Committee's procedures.

III. HUMANITARIAN SUPPLIES TO IRAQ

10. As in previous phases, during the second 90-day period of phase VI, the Committee continued to attach high priority to the work of processing contracts for the supply of humanitarian goods to Iraq.

11. As at 10 November 1999, the Secretariat had received 1,232 applications under phase V for exports of humanitarian supplies to Iraq. Of that total, 40 were subsequently cancelled, 1,104 have been circulated to Committee members for action and 88 are still being processed. Of those sent to the Committee for consideration, 892 have been found eligible for payment from the United Nations Iraq Account, totalling approximately $1.5 billion; 9 are still pending under the "no-objection" procedure; and 203, with a total value of $537 million, have been placed on hold. During the same period of time, the Secretariat received 817 applications under phase VI for exports of humanitarian supplies to Iraq, 607 of which have been circulated to Committee members for action and 128 of which are still being processed. Of those sent to the Committee for consideration, 443 have been found eligible for payment from the United Nations Iraq Account, totalling approximately $999 million. Thirty-three are still pending under the "no-objection" procedure; and 131, with a total value of $307 million, have been placed on hold.

12. The work of goods-arrival confirmation by the United Nations independent inspection agents (Cotecna) has continued, in accordance with the established procedures, at the four entry points to Iraq, at Al-Walid, Trebil, Umm Qasr and Zakho. As in previous phases, the Iraqi authorities have accorded the independent agents full cooperation in their work. During the second half of

phase VI, 4,850 consignments of humanitarian supplies from current and previous phases have been confirmed as having arrived in Iraq in full or partial shipments.

13. In accordance with the recommendations contained in the letter dated 22 October 1999 from the Secretary-General to the President of the Security Council (S/1999/1086), members of the Committee will continue the practice of keeping under review those humanitarian contracts that have been placed on hold.

IV. MATTERS RELATING TO OIL SPARE PARTS AND EQUIPMENT TO IRAQ

14. Since the adoption of resolution 1175 (1998) on 19 June 1998, the Committee has discussed on a number of occasions the issue of using up to $300 million from the escrow account to supply oil spare parts and equipment to Iraq, as referred to in paragraph 1 of that resolution and reaffirmed in paragraph 9 of resolution 1242 (1999).

15. The Committee has made continuous efforts to expedite the approval process for contracts for sending oil spare parts and equipment to Iraq in accordance with existing procedures. The Committee held informal consultations on the issue and invited the oil experts from Saybolt Nederland BV, the independent agents monitoring Iraq's oil exports under resolution 986 (1995), to brief the Committee on 20 October on the monitoring of oil spare parts and equipment and on the impact of holds on such contracts. On that same occasion, the members of the Committee discussed the letter dated 12 October 1999 from the Secretary-General to the President of the Security Council (S/1999/1053), in which he recommended an increase of $300 million in the allocation for oil spare parts and equipment.

16. During the period covered by the present report, the Secretariat has received 206 new applications valued at $124 million to export oil spare parts and equipment to Iraq and has circulated 174 applications to the members of the Committee for consideration, including those left from previous resolutions. A total of 126 applications worth $73.2 million have been approved during this period, including 28 applications valued at $19.3 million, which were released from previous holds since the Committee's previous report. At the same time, 79 contracts valued at $57.3 million have been placed on hold (with 6 of them valued at $2.2 million subsequently released from holds).

17. From the beginning of the process to 10 November, the number of applications received by the Committee to ship oil spare parts and equipment to Iraq under previous resolutions reached a total of 1,311, with a value of $682.1 million. Of those, 1,108 have been circulated to the members of the Committee for consideration, 3 are being reviewed by customs experts awaiting amendments to the distribution plan, 88 have been returned to the applicant missions for clarification and 45 have been declared null and void. Of the 1,108 applications circulated, 783, with a total value of $396.5 million, have been approved; 309, valued at $160.5 million, have been placed on hold; and 16 applications are pending under the "no-objection" procedure. As at 10 November, 385 such shipments worth $152,609,785 had arrived in Iraq in full or in part.

18. Members of the Committee intend to continue the practice of keeping under review those contracts for oil parts and equipment that have been placed on hold, in accordance with the letter from the Secretary-General to the President of the Security Council (S/1999/1086).

V. OTHER ACTIVITIES

19. The Committee has held three meetings and six informal consultations at the expert level during the reporting period to discuss various issues related to the implementation of the oil-for-food programme. The Committee considered, inter alia, the following issues:

(a) Members of the Committee discussed intensively the increase in oil revenues, which led to the adoption by the Security Council of resolution 1266 (1999);

(b) Members of the Committee discussed intensively the issue of oil spare parts, the impact of holds on such contracts and the monitoring of oil spare parts in Iraq;

(c) Members of the Committee continue to discuss the humanitarian situation in Iraq and the monitoring and observation undertaken by United Nations observers in accordance with resolution 986 (1995) and related resolutions. During the reporting period, the members of the Committee heard briefings from the Office of the Iraq Programme and Saybolt on their observation mechanisms and from the United Nations Humanitarian Coordinator in Iraq on the humanitarian situation;

(d) During the second half of phase VI, members of the Committee continued their discussion of a paper prepared by the Office of the Iraq Programme concerning contracts with payment mechanisms. Some contracts containing such clauses were subsequently amended and circulated to the Committee for action. Other contracts in this category were distributed to the Committee without amendment.

VI. CONCLUSIONS

20. The Committee will continue working closely with the Office of the Iraq Programme and all parties concerned to ensure the effective implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995). As in the past, the Committee wishes to reiterate its appreciation to all parties concerned for their cooperation and contribution.

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prevent or restrain them. Sheikh Hassan Nassrallah, the Secretary-General of the Lebanon-based Hizballah militia, recently called for "suicide operations" inside Israel, vowing that "this would lead to the expulsion of Jews from Palestine and enable our generations to witness its liberation" (Al-Hayat, London, 30 October 1999). The leader of the Islamic Jihad terrorist organization, which also operates in Lebanon, announced: "This is an open front for the liberation of Palestine, especially as the Israeli enemy occupied part of Lebanese territory, and there is broad scope for resistance that serves the project of Islamic Jihad which seeks to destroy the Zionist entity" (statement by Ramadan Abdullah Shallah, leader of Islamic Jihad, quoted in Al-Hayat, Mideast Mirror, 14 November 1999).

These positions demolish the claims by Lebanese officials that such groups are simply engaged in "resistance" (A/53/878-S/1999/333), and make clear that, in fact, their "resistance" is to the very existence of the State of Israel. Yet, in contradiction of resolution 2625 (XXV) and against international norms, Lebanon does nothing to dismantle or disarm these terrorist organizations. On the contrary - Lebanon's Prime Minister embraces their "jihad" and so-called "resistance" (Voice of Lebanon, 16 February 1999).

This policy conforms with Lebanon's continued rejection of a negotiated solution to the conflict. It should be recalled that the Security Council, in resolution 425 (1978) of 19 March 1978, not only calls for the withdrawal of Israeli forces, but also for the restoration of international peace and security and the return of the effective authority of the Government of Lebanon in the area. The declared willingness of the Government of Lebanon to host an elaborate terrorist infrastructure, to permit its regular reinforcement, and to endorse its operations against a neighbouring country, is totally incompatible with the last two provisions of the resolution.

Coupled with its refusal to negotiate a peaceful solution, the policies of Lebanon leave Israel with no alternative but to exercise its sovereign right of self-defence in accordance with international law. Nevertheless, Israel once again calls on the Government of Lebanon to begin negotiating a solution with the aim of restoring peace and security along our common border.

I should be grateful if you will have this letter circulated as an official document of the General Assembly, under agenda item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) Aaron JACOB
Ambassador
Chargé d'affaires

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S/1999/1179
18 November 1999

ORIGINAL: ENGLISH

LETTER DATED 16 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit to you the attached Declaration of the Presidency of Bosnia and Herzegovina adopted during the appearance of the members of the Presidency of Bosnia and Herzegovina before the Security Council on 15 November 1999. We would like to thank all those who helped us reach this most significant step forward.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

99-35308 (E) 181199

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Annex

New York Declaration

The three members of the Bosnia and Herzegovina Joint Presidency accepted the invitation of the United Nations Security Council to appear before it on the eve of the fourth anniversary of the Dayton Peace Accords. They reaffirmed their commitment to the Dayton Accords, noted the great progress that has been made towards the fulfilment of its goals, and pledged themselves to face squarely the challenges that remain.

The Presidency reaffirmed its commitment to the realization of Bosnia and Herzegovina as a sovereign, fully integrated, and multi-ethnic state with two multi-ethnic entities, while respecting the uniqueness of its three equal constituent peoples. They condemned anti-Dayton forces advocating ethnic hatred and division, affirmed that such views have no place in the politics of Bosnia and Herzegovina, and restated their opposition to all threats to the democratic process.

The Presidency agreed that the future of Bosnia and Herzegovina is as a part of Europe. They further agreed that this will require full integration into European institutions, and the creation of the type of strong, functioning common institutions found in other democratic, European countries.

To move forward towards achieving these goals, the three Presidents:

- Agreed to the establishment of a state border service on the basis of the attached principles and within the framework of the High Representative's efforts.

- Announced the creation of a Permanent Secretariat for the Joint Presidency that will be responsible to the Presidency as a single institution representing the aspirations of all the people of Bosnia and Herzegovina. Agreed that the Secretariat will be composed initially of at least five people from each constituent group, who will be co-located in a single building of the Presidency, and who will be assigned on a full-time basis to, and work exclusively for, the Joint Presidency. The Secretariat will provide continuity for the work of the Presidency by developing working papers, ensuring that decisions of the Presidency are properly staffed and implemented, and serving as a liaison with the Council of Ministers. Agreed further to provide the Secretariat with sufficient resources and personnel to carry out its mandate by 1 March.

- Agreed that full funding of the state ministries is an essential prerequisite for a truly functioning state government and agreed that it must be a top spending priority for the State of Bosnia and Herzegovina. Stated that the structure of the Council of Ministers should be rectified in an accelerated fashion in accordance with the Bosnia and Herzegovina Constituent Court decision and the Madrid Declaration decisions. Agreed to secure the necessary resources for

the full funding of the Ministry of Foreign Affairs, the Ministry of Foreign Trade and Economic Relations, and the Ministry of Civil Affairs and Communications by 1 March.

- Reaffirmed their support for the adoption of the Permanent Election Law, stressing the importance of the consistency of this law with the highest internationally accepted democratic standards, including those of the Council of Europe, and the constitution of Bosnia and Herzegovina.

- Expressed their intention to seek improved inter-entity military cooperation, including through creation of joint units to participate in United Nations peacekeeping operations.

- Agreed that the return of displaced persons and refugees has not been sufficient - particularly in urban areas such as Sarajevo, Banja Luka and Mostar - and that it must be the government's highest priority if Bosnia and Herzegovina is to truly become a stable and prosperous state. Agreed to press the Federation and Republika Srpska to provide additional staffing, funding and proper facilities to their ministries for refugees in order that urban returns can be accelerated. Endorsed the harmonized property laws announced by the High Representative in October 1999 and committed themselves to advocate strongly for their expeditious implementation. Agreed to establish a joint commission of the entities with international representation that will meet regularly to establish refugee return priorities to urban areas and report regularly. In this vein, the commission will submit a report to the United Nations Security Council by 1 March 2000, reporting on progress.

- Agreed that the state government will be responsible for serving as a central database and managing authority for Bosnia and Herzegovina passports, and that the Presidents will propose to the Bosnia and Herzegovina Parliament and strongly support the creation of a single national passport carrying only the name Bosnia and Herzegovina on its cover in both the Cyrillic and Latin scripts.

- Acknowledged that corruption and the lack of transparency are serious problems that block Bosnia and Herzegovina's economic development at all levels. Agreed to support aggressive steps to combat these problems, including full backing for the efforts of the High Representative and cooperation with the Stability Pact's anti-corruption initiative.

Appendix

Principles on the Establishment of a State Border Service

The Joint Presidents agree to support the establishment of a State Border Service (SBS) as specified in the framework put forward by the High Representative, with the understandings set forth below:

- The SBS is a state-level institution, which will be directed by the Ministry of Civil Affairs and Communications. It will be headed by a Director with two Deputies, appointed by the Bosnia and Herzegovina Presidency, and drawn equally from the constituent peoples of Bosnia and Herzegovina. The Director and Deputies shall rotate responsibilities every eight months.

- The SBS shall have only those duties and authorities set forth in the draft law as necessary for the fulfilment of its task of protecting the borders of Bosnia and Herzegovina. These duties shall include in particular:

  - police surveillance of the borders;

  - police control of cross-border traffic as well as prevention of danger within its geographic area of responsibility, including:

    - inspection of border-crossing documents as well as of authorization for crossing the border,

    - apprehension or prevention of non-permitted entry into Bosnia and Herzegovina,

    - search for persons within the border zone.

- The responsibilities of the SBS will extend to 10 km from the international border of Bosnia and Herzegovina, except in those cases where the distance to the entity boundary line is less than 10 km, in which case the responsibilities of the SBS will extend to half the distance from the international border to the entity boundary line.

- The main headquarters of the SBS will be located in Sarajevo. Field offices will be established as required, and will report to SBS headquarters.

- The ethnic composition of the personnel of the SBS shall be based on the 1991 census according to the following criteria:

  - the main headquarters will reflect the Bosnia and Herzegovina-wide distribution;

  - the field offices will reflect the ethnic distribution of the regions or cantons in which they are situated;

- the representation of any one of the constituent peoples of Bosnia and Herzegovina at each office level shall in no event be more than two thirds or less than 10 per cent of total personnel;

- all SBS units will be fully integrated and members of any ethnicity may serve at any point on the border.

The Presidents agree that the SBS legislation pursuant to this agreement will be submitted to the Bosnia and Herzegovina Parliament by 24 November 1999, and that the first units will be deployed by 31 December 1999 regardless.

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Security Council

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19 November 1999

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to extend the period referred to in paragraphs 1, 2 and 8 of resolution 1242 (1999) and in paragraph 1 of 1266 (1999) until 4 December 1999;

2. Decides to remain seized of the matter.

99-35507 (E) 191199

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Security Council

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GENERAL

S/1999/1181
18 November 1999

ORIGINAL: ENGLISH

LETTER DATED 18 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit a statement of the Ministry of Foreign Affairs of Georgia regarding the violation of the border of Georgia and shooting at the settlements by the helicopters of the air forces of the Russian Federation (see annex).

I should be grateful if you have the present letter and its annex circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

99-35360 (E) 181199

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Annex

Statement issued on 17 November 1999 by the Ministry of Foreign Affairs of Georgia

On 17 November 1999 at 12.10 p.m. local time the air space of Georgia near the village of Shatili was violated by three military helicopters of the air forces of the Russian Federation, which shot at the settlements in the region of Mutso Gorge. The nearby territory where a unit of the Border Guard Forces of Georgia was deployed was also shot at.

The above-mentioned act, which cannot be assessed otherwise but as direct aggression against a sovereign State, is a continuation of the purposeful anti-Georgian propaganda campaign being carried out by certain circles in the higher echelons of the authorities of the Russian Federation in their attempt to involve Georgia in the Caucasian war at any cost.

In connection with the above-mentioned fact of aggression, the Georgian side expresses its resolute protest, addressing its demand to the leadership of the Russian Federation to put an end to aggressive acts against sovereign Georgia and also to identify and hold responsible the officials who have planned and carried out this criminal act.

UNITED NATIONS **S**

Security Council

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S/1999/1182
18 November 1999
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 17 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States and British aircraft based in Saudi Arabia, Kuwait and Turkey continued between 8 and 15 November 1999 and that the aircraft in question engaged in acts of aggression, reconnaissance activities and acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the United States, the United Kingdom and the countries that provide the facilities for these acts of aggression, namely Saudi Arabia, Kuwait and Turkey, with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of Iraq.

These actions are continuing to bring death and injury to hundreds of civilians and to cause serious damage to private and public property. The logistic support that Saudi Arabia, Kuwait and Turkey provide to the United States and British forces makes them key partners in the aggression being committed against Iraq, so that they share international responsibility for the consequences of these actions. The Republic of Iraq affirms its right to seek lawful compensation for the damage being inflicted on its people by these same actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

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Annex

Violations by United States and British aircraft and damage caused, 8-15 November 1999

1. In the northern region 48 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1135 hours on 8 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 14 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Mosul, Dohuk, Tall Afar, Irbil, Amadiyah and Aqrah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1425 hours, drove them off.

(b) At 1220 hours on 9 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 16 missions, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Amadiyah, Tall Afar and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1528 hours, drove them off.

(c) At 1110 hours on 14 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Zakho, Amadiyah, Irbil, Mosul, Tall Afar, Ayn Zalah and Dohuk areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1240 hours, drove them off.

2. In the southern region 452 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 0625 hours on 8 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 36 missions from Saudi territory, were supported by an AWACS command and control aircraft operating inside Saudi airspace and overflew the Nasiriyah, Diwaniyah, Basrah, Samawah, Taqtaqanah, Afak, Salman, Qurnah, Busayyah, Shinafiyah, Ushbayjah and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1000 hours, drove them off.

(b) At 0840 hours on 9 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. They carried out 61 missions from Saudi territory, were supported by an AWACS command and control aircraft operating inside Saudi airspace and overflew the Samawah, Nasiriyah, Diwaniyah, Salman, Amarah, Najaf South, Hayy, Artawi and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1020 hours, drove them off.

(c) At 0930 hours on 11 November 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft, as well as a remotely piloted aircraft, coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 75 missions, 55 of them from Saudi territory with the support of an AWACS aircraft and 20 from Kuwaiti territory with the support of an E-2C aircraft operating inside Kuwaiti airspace. They overflew the Artawi, Nasiriyah, Samawah, Salman, Qal'at Salih, Qurnah, Basrah, Afak, Hashimiyah South, Diwaniyah, Hayy, Ali al-Gharbi, Razzazah Lake, Jassan, Aziziyah South, Nu'maniyah, Taqtaqanah and Ukhaydir areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1730 hours, drove them off.

(d) At 0805 hours on 12 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 138 missions, 100 of them from Saudi territory with the support of an AWACS command and control aircraft and 38 from Kuwaiti territory with the support of an E-2C aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Salman, Amarah, Qurnah, Jalibah, Abu Sukhayr, Diwaniyah, Lasaf, Ushbayjah and Rifa'i areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1617 hours, drove them off.

(e) At 0930 hours on 13 November 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 98 missions, 70 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 28 from Kuwaiti territory with the support of an E-2C aircraft operating inside Kuwaiti airspace. They overflew the Ushbayjah, Busayyah, Lasaf, Jalibah, Nasiriyah, Salman, Shatrah, Samawah, Shinafiyah, Chabaish, Qurnah, Rifa'i, Qal'at Sukkar, Diwaniyah, Afak, Najaf, Nu'maniyah and Kut areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1955 hours, drove them off.

(f) At 0930 hours on 14 November 1999 United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 44 missions, 30 of them from Saudi territory with the support of an AWACS aircraft operating inside Saudi airspace and 14 from Kuwaiti territory with the support of an E-2C aircraft operating inside Kuwaiti airspace. The overflew the Artawi, Nasiriyah, Samawah, Salman, Basrah, Jalibah and Busayyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1055 hours, drove them off.

3. The Kuwaiti side engaged in actions that are in breach of the ceasefire when, at 1200 hours on 22 October 1999, four vehicles, three Landcruisers and a pick-up truck mounting a medium machine-gun, were seen in the demilitarized zone at coordinates 527125 (1:100,000 map of Batin).

UNITED
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Security Council

Distr.
GENERAL

S/1999/1183
18 November 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Since the so-called Lockerbie affair first surfaced in late 1991 with the indictment of two Libyan nationals on charges of having blown up Pan Am flight 103 over Lockerbie in 1988, Libya has always expressed its readiness to cooperate with the other parties involved in seeking a solution with a view to establishing the truth and identifying those responsible for committing this crime.

The reason for the delay in reaching a solution is that the other parties concerned have refused to cooperate with Libya, have rejected all of the options proposed by the relevant international and regional organizations for resolving the issue and have insisted on laying down conditions and imposing sanctions in what they believed to be the way for them to achieve objectives that did not include ascertaining the truth or mitigating the suffering of the families of the victims or securing justice for them.

With the sustained international support for Libya's stance and with the International Court of Justice, in its two Judgments of 27 February 1998, having established that the Libyan position to the effect that the Court had jurisdiction to consider the case was correct and legally sound, the other parties, having long rejected it, no longer had any choice but to accept the proposal of the international and regional organizations already approved by Libya that the two suspects should be brought to trial before a Scottish court in a neutral country.

This led to the agreement on the conduct of a Scottish trial in the Netherlands, to the arrival of the suspects to appear before the court on 5 April 1999 and to the suspension by the Security Council, on the same day, of the measures imposed on Libya under Security Council resolutions 748 (1992) and 883 (1993).

As it had itself decided, the Security Council was to have rescinded the measures imposed on Libya 90 days after the arrival of the suspects and on receipt of a report from the Secretary-General. Although this period of time has elapsed and the Council has received the Secretary-General's report (S/1999/726), the Council has been unable to rescind these measures because of a

threat by the United States to use its veto against any resolution submitted to the Council for that purpose.

In contrast, Libya has continued to comply with the undertaking it gave to cooperate with the Scottish court in the Netherlands, as is demonstrated by the press release issued by the United Kingdom Foreign and Commonwealth Office on 4 November 1999 (see annex). It conveys the gratitude of Her Majesty's Government for the arrangements made by the Libyan authorities for the visit to Libya from 18 October to 4 November 1999 of a team from the Dumfries and Galloway Constabulary to carry out investigations in relation to the Lockerbie case.

Libya urges the other parties to abide by the undertakings they have given and to discharge the obligations imposed on them by the relevant Security Council resolutions with respect to cooperation with the Scottish court in the Netherlands, and it once again calls upon the Security Council to rescind, fully and immediately, the measures imposed on Libya under its resolutions 748 (1992) and 883 (1993).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative

Annex

FOREIGN AND COMMONWEALTH OFFICE

News Department, Downing Street (West), London SW1A 2AH
Telephone: 0171-270-3100

Press Release

In response to an official Letter of Request issued by the High Court of Justiciary in Scotland, the Libyan Judicial Authorities agreed to a visit by a team from the Dumfries and Galloway Constabulary. The team visited Libya from 12 October to 4 November to carry out investigations in relation to the Lockerbie case.

Her Majesty's Government is grateful for the arrangements which were made by the Libyan judicial authorities in response to this Letter of Request.

Foreign and Commonwealth Office
4 November 1999

UNITED
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Security Council

Distr.
GENERAL

S/1999/1184
18 November 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS CIVILIAN POLICE MISSION IN HAITI

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1212 (1998) of 25 November 1998, by which the Council decided to extend the mandate of the United Nations Civilian Police Mission in Haiti (MIPONUH) until 30 November 1999 in order to continue to assist the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police, including mentoring Haitian National Police field performance and strengthening the capability of the central directorate of the police force to manage aid provided to it from bilateral and multilateral sources. In that resolution, the Council requested me to report on the implementation of the resolution every three months from the date of its adoption until the expiration of the mandate of MIPONUH. The present report covers the activities of MIPONUH and developments in the mission area since my report of 24 August 1999 (S/1999/908).

2. As I informed the Council in my letter dated 10 September 1999 (S/1999/969), Julian Harston, my Representative in Haiti, relinquished his functions on 18 September 1999 to join the United Nations Mission in Bosnia and Herzegovina as my Deputy Special Representative. Alfredo Lopes Cabral, the former Permanent Representative of Guinea-Bissau to the United Nations, whom I appointed to succeed Mr. Harston, assumed his duties as my Representative in Haiti and Head of MIPONUH on 20 October.

II. POLITICAL SITUATION

3. Since my previous report, a number of disquieting developments in Haiti have raised concerns about the electoral process, the security situation and the potential politicization of the Haitian National Police. Preparations for the next legislative and local elections have continued to lag, violent crime has not diminished and the Haitian National Police has been the target of renewed attacks.

4. At a meeting with several political parties on 2 September, the Conseil electoral provisoire (CEP) proposed two possible election dates: a first round

of legislative elections on 28 November 1999 followed by a second round, together with local elections, on 19 December, or a first round of legislative elections, together with local elections, on 12 December, followed by a second round of legislative elections on 9 January 2000.

5. President René Préval regarded the proposed timetable as unrealistic and announced that he would review it with CEP. Opposition parties, however, interpreted this as a tactic to delay the elections. On 29 September, following discussions between President Préval and CEP, the Government announced 19 March 2000 as the date for the first round of elections. In the official electoral timetable published on 6 October, CEP set 30 April 2000 as the date for the second round of elections. Despite initial criticism of the postponement of the elections by some political parties, these dates have now been widely accepted. The delay in the elections will make it impossible for a new Parliament to be in place by the second week of January, as stipulated in the Haitian Constitution.

6. The launching of a national civic education campaign on 24 October was marred by a group of militants of so-called popular organizations who disrupted the event by shouting slogans in support of former president Jean-Bertrand Aristide. President Préval, Prime Minister Jacques-Édouard Alexis and political parties, including Fanmi Lavalas, condemned the incident. Fanmi Lavalas suggested that enemies of the party might have been behind the demonstration to tarnish its image.

7. The Secretary of State for Public Security, Robert Manuel, resigned on 7 October. Popular organizations linked to Fanmi Lavalas had called for his resignation since the beginning of the year, accusing him of being responsible for the deteriorating security situation in the country. A successor to Mr. Manuel has not yet been appointed. The public campaign against Mr. Manuel and Haitian National Police Director-General Pierre Denizé has been portrayed by opposition parties as an attempt to destabilize and politicize the police service. The Organisation du peuple en lutte (OPL) warned that the departure of Mr. Manuel could have adverse political consequences, notably on the elections.

8. On 8 October, former army colonel Jean Lamy, who was considered close to Fanmi Lavalas and was reported to be a possible successor to the Secretary of State for Public Security, was shot dead by unknown assailants in Port-au-Prince shortly after leaving the house of Mr. Manuel. The following day, Mr. Manuel left the country under heavy police escort. Fanmi Lavalas accused him and unnamed police officers of involvement in the murder. On 16 October, supporters of Fanmi Lavalas disrupted the funeral of Colonel Lamy in Port-au-Prince, shouting slogans hostile to the Director-General and the Inspector-General of the Haitian National Police. The protest drew wide condemnation.

9. A new electoral alliance of right-wing parties, the Front civico-politique haïtien, was formed on 15 September. It is led by a Protestant minister, Charles Poisset Romain. The Espace de concertation formally presented itself as an electoral alliance on 20 September. Espace urged Haitians to support it as an alternative to Fanmi Lavalas.

10. With respect to security, the situation since my last report has been characterized by continuing demonstrations, blockades and incidents of violence, some of which have been related to discontent over the country's dire economic situation and difficult living conditions. In September there were violent demonstrations at the State-owned telephone company, Téléco, over the decision to replace the company director and plans to privatize the company. On 5 September a gunman fired on the secretary of OPL as he drove his car from the Port-au-Prince airport. Recent weeks have seen a spate of armed robberies, murders by illegal vigilante groups and drug-related crimes.

III. DEPLOYMENT AND OPERATIONS OF THE UNITED NATIONS CIVILIAN POLICE MISSION IN HAITI

11. As will be recalled, the Security Council mandated at the outset of the Mission that it be composed of up to 300 civilian police officers, including a 90-strong special police unit deployed along with the necessary support personnel. On 17 November the civilian police element of MIPONUH comprised 143 officers from 10 countries (see annex I). In accordance with its mandate, MIPONUH continued to deploy its civilian police component throughout Haiti's nine departments, while the special police unit has remained in Port-au-Prince. The unit has continued to provide security for mission personnel and property on a 24-hour basis.

12. In the area of training, MIPONUH has attained the objectives established for it by the Director-General of the Haitian National Police. The full range of courses that have made up the training programme have been taught in a comprehensive fashion, with a good part of classroom instruction over the last several months having focused on the maintenance of law and order (crowd control) and penal procedure. As agreed with the Haitian National Police, civilian police trainers have continued to guide their Haitian National Police counterparts in their teaching of police officers. In view of the planned departure of the Mission at the end of November, the emphasis has shifted to the training of trainers to prepare the Haitian National Police for the post-MIPONUH era. More than 40 Haitian National Police trainers trained by civilian police are now in a position to teach the required courses independently. The curricula developed by the civilian police and all related documentation have been submitted to the Director of the police academy.

13. Civilian police officers have similarly continued to discharge their mentoring (accompagnement) responsibilities in the field and at the office of the Haitian National Police Director-General. These mentoring activities have focused on the fight of the Haitian National Police against serious crime, notably capital crimes and drug trafficking, as well as on the maintenance of law and order and logistics and administration (including personnel management and the maintenance of police registers).

14. In July 1999, the Director-General of the Haitian National Police had requested MIPONUH to assist in preparing local crowd-control units, or Compagnies d'intervention et de maintien de l'ordre, in case of insecurity during the election period (see S/1999/908, para. 20). Between August and

November 1999 two such units were trained by the civilian police, in accordance with programmes developed jointly with the Haitian National Police.

15. During the period under review, the Mission continued to coordinate its technical assistance with the programmes of the United Nations Development Programme (UNDP) and with bilateral donors such as the Canadian International Development Agency-Royal Canadian Mounted Police, the French bilateral programme and the International Criminal Investigative Training Assistance Programme of the United States of America. MIPONUH also worked closely with the joint United Nations/Organization of American States International Civilian Mission in Haiti (MICIVIH) to help ensure that Haitian National Police officers had the necessary knowledge of human rights issues.

16. The monthly meetings between the civilian police, UNDP, the Haitian National Police and representatives of the Friends of the Secretary-General for Haiti (namely Argentina, Canada, Chile, France, the United States and Venezuela), which began in May 1999, have continued. The participants have been considering options for international assistance to the Haitian National Police beyond 30 November, on the basis of a concept initially proposed by the civilian police and the Director-General of the Haitian National Police, which would involve approximately 60 high-level advisers to the Haitian National Police.

IV. HAITIAN NATIONAL POLICE

17. During the period under review, the Haitian National Police continued to be the target of criticism from a number of political actors. The resignation of the Secretary of State for Public Security on 7 October has created a vacuum in the leadership of the police service (see para. 7 above). It has also rendered the work of the Director-General, Mr. Denizé, more complex, as he is now expected to deal with some issues ordinarily handled by the Secretary of State for Public Security.

18. Another cause for concern is the spate of attacks against Haitian National Police personnel. Former army colonel Lamy, who was murdered on 8 October had been a consultant to the Director-General of the Haitian National Police (see para. 8 above). On 15 October, an attempt was made on the life of the Director of the police judiciaire, who is in charge of the investigation of the Carrefour-Feuilles killings (see S/1999/908, paras. 6 and 7). According to the Office of the Director-General of the Haitian National Police, 19 police officers have been killed since the beginning of 1999 and 63 have lost their lives in the line of duty since the inception of the Haitian National Police in 1995.

19. The Haitian National Police has prepared a coherent electoral security plan, which addresses the principal security issues concerning the elections.

20. The Haitian National Police has continued its fight against drug trafficking. As part of "Operation Columbus", undertaken together with United States and Dominican law-enforcement officers, the Haitian National Police destroyed over 300 kilograms of confiscated cocaine on 28 October. In drug cases involving its own officers, the Haitian National Police has demonstrated

its determination to deal appropriately with rogue police officers through the Inspector-General's office, which has established a strong record in cooperating with the criminal justice system, thus making its internal disciplinary campaign more effective. The investigation of the Carrefour-Feuilles killings on 28 May continued during the reporting period. Seven members of the Haitian National Police have been arrested in connection with the murders, and an arrest warrant has been issued for an eighth officer, who is at large following his escape from detention.

21. It is widely acknowledged that the Haitian National Police reacted in a professional manner during an incident at a rally organized by the Espace de concertation at Petit-Goâve on 6 November, which was disrupted by supporters of former president Aristide. The Haitian National Police quickly restored order and allowed the event to proceed as planned.

22. Police morale has, however, been affected, as the Haitian National Police has found it difficult to deal effectively with increasing delinquency rates. It is similarly disquieting that vigilante groups have repeatedly attempted to act as police substitutes, delivering so-called popular justice. On 19 October six presumed criminals were the victims of extrajudicial killings on the outskirts of Port-au-Prince. Among the more pressing concerns of the Haitian National Police has been the number of police officers killed in the line of duty and the high rate of resignations, the lack of equipment and the problems of dealing with a justice system that falls short of the standards of institutional development attained by the police.

23. On 10 September, 128 officers of the eleventh class of cadets graduated from the National Police Academy, bringing the strength of the Haitian National Police to some 6,000. On 28 October the Government of Haiti announced plans to increase the force to 9,000 to 10,000 officers by 2003 to combat rising crime.

V. JUSTICE SYSTEM

24. Seven working groups were established in late September by the Ministry of Justice and Public Security to work on judicial reform and draft legislation. The working groups are composed of Haitian and international experts and focus on issues such as the statutes of the Magistrate's School, the independence of the judiciary, the salary system for judicial personnel, legal assistance, the organic law of the Ministry of Justice and Public Security, the judicial inspectorate and penal matters. Each group is expected to complete its work in the coming months, according to an established timetable.

25. On 24 August, the Minister for Justice and Public Security announced a salary increase for judges, following discussions between his Ministry and the Ministry of Finance. On 1 October the Ministry also announced changes in the judicial apparatus with a view to enhancing judicial effectiveness. The government prosecutor of Port-au-Prince has now been reassigned, and five deputy prosecutors have been dismissed. Under the new government prosecutor, the Ministry of Justice unit on pre-trial detention has resumed work after a long period of inactivity, with a view to speeding up the processing of cases. The

prison administration has been confronted with a hunger strike of 25 detainees who were protesting primarily against prolonged pre-trial detention.

26. In September the Magistrates School organized country wide seminars for judicial and police officials on the application of the electoral law in preparation for the elections. From 18 to 27 October, the school also organized a seminar for more than 30 Haitian doctors to reinforce their knowledge of forensic medicine. Some judicial personnel also participated in some of the sessions.

27. Despite financial limitations, the Office of the Ombudsman (Office de la protection du citoyen) opened its first regional office in Gonaives (Department of Artibonite) on 5 November and announced that its second regional office would open in Jérémie (Department of Grande-Anse) at the beginning of January 2000. The Ombudsman has released his first annual report on the activities of his office since its official opening in November 1997. He noted that, from its inception to the end of 1998, his office had received almost 300 complaints, including 35 concerning the Haitian National Police, 35 concerning the judicial system and 25 related to municipal administrations. The Ombudsman also observed that the institution was still not well-known among the population and recommended a more active presence in the field to reinforce its activities. These recommendations focus particularly on issues such as judicial and prison reform, reinforcement of the civic education activities of the Haitian National Police, measures to improve the condition of women and children, the fight against impunity, improvement of the living conditions of Haitians in the Dominican Republic, ratification of international treaties concerning human rights and reinforcement of legal assistance and civic awareness.

VI. DEVELOPMENT ACTIVITIES

28. The United Nations system has kept up its efforts to implement the Secretary-General's reform programme. The past three months have seen significant progress towards laying the groundwork for harmonizing joint programming and the programme cycle through the United Nations Development Assistance Framework process and within the framework of Economic and Social Council resolution 1999/11 of 27 July 1999, calling for the formulation of a long-term programme of development for Haiti.

29. The first step in the implementation of the Economic and Social Council resolution was taken through the official launching in the past month of a common country assessment, in which an in-depth analysis will be conducted of the country's strategic development sectors and priorities for social and economic development will be identified. A common country assessment orientation committee jointly headed by the Prime Minister and the United Nations Resident Coordinator has been established. A number of theme groups have also been organized with the participation of donors, ministries, United Nations agencies and civil society.

30. In addition to the launching of the common country assessment process, the reporting period also saw the intensification of new activities by the resident agencies, working individually or in collaboration within their mandated areas.

31. UNDP continued to support development cooperation efforts, including the financing of a justice mission, expanding its technical assistance to CEP, particularly in the regions, facilitating donor coordination for the elections, producing a strategic policy document on the trade sector with other international partners, organizing a national seminar on disaster prevention and management with the Ministry of Interior in September and holding a trade roundtable in November. UNDP also reached agreement with the Government of Norway to finance and conduct jointly a survey of living conditions in Haiti in collaboration with the Haitian Institute of Statistics.

32. Other development activities of the United Nations system over the past three months have included an agreement between the World Food Programme and the Haitian Government to launch two socio-economic programmes in the country's northern departments, the organization by the United Nations Educational, Scientific and Cultural Organization of a joint Haiti/Dominican Republic colloquium on the abolition of slavery and the launching of a postgraduate programme on population studies by the United Nations Population Fund and UNDP.

33. With regard to public information, a United Nations week was organized from 22 to 27 October in conjunction with the celebration of United Nations Day. The Prime Minister attended the opening ceremony. Round-table discussions were organized around specific themes and an exhibition of United Nations activities in Haiti was displayed.

VII. SUPPORT TO HAITI AFTER 30 NOVEMBER 1999

34. Since the issuance of my last report, plans for a possible transition to other forms of international assistance to the Haitian National Police after the expiration of the Mission's mandate have evolved further. The Government of Haiti has taken the lead in exploring possible modalities for the further strengthening and effective functioning of the Haitian National Police. Senior police officials have presided over a series of meetings with representatives of the international donor community to develop a strategy for joint Government-donor cooperation built on the concept of a core of police advisers to be provided by the United Nations and bilateral donors such as the International Criminal Investigative Training Assistance Programme, the Canadian International Development Agency and French Cooperation. This core of international police advisers would ensure a minimum of continuity in external support to the Haitian National Police.

35. Parallel to these efforts, a needs assessment mission, led by the Department of Political Affairs in cooperation with the Department of Peacekeeping Operations, visited Haiti from 11 to 15 October to prepare the ground for the future presence of the United Nations. In its report the mission envisaged the establishment of a new integrated United Nations mission that would combine some of the functions of MIPONUH and MICIVIH to assist the Government of Haiti in the areas of human rights monitoring and institution-

building. If approved by the General Assembly, the new mission would render support to the Haitian authorities in the critical areas of police, justice and human rights, which are vital to the further consolidation of democracy in Haiti. The three proposed "pillars", namely the judiciary, human rights and the police, on which the new mission would rest would be mutually reinforcing and complementary. Without progress in the area of justice, the institutional consolidation of the Haitian National Police would suffer. Without capacity-building and training, strengthening the State institutions responsible for ensuring respect for human rights would be difficult. Improving the quality of justice would help curb endemic due process violations and improve the performance of the police in the area of law and order.

36. Following the recommendations presented in my last two reports (S/1999/908 and S/1999/579) on a possible transition to other forms of international assistance, extensive consultations between the Government of Haiti, the Friends of the Secretary-General for Haiti, my Representative, the United Nations Resident Coordinator and the Executive Director of MICIVIH, as well as a delegation from the Economic and Social Council that visited Haiti for this purpose, have facilitated planning for the proposed new and integrated mission. Subject to the availability of resources, a consensus has been reached on the desirability of a continued United Nations presence in Haiti. On 8 November, President Préval sent me a letter requesting the establishment of a new mission upon the completion of the MIPONUH mandate (see annex II).

VIII. FINANCIAL ASPECTS

37. By its resolution 53/222 B of 8 June 1999, the General Assembly appropriated an amount of $18,641,616 gross for the maintenance and liquidation of MIPONUH for the period from 1 July 1999 to 30 June 2000. The mandate of the Mission terminates on 30 November 1999. The cost of liquidation thereafter will be met from within the approved resources.

38. As at 15 November, unpaid assessed contributions to the MIPONUH Special Account amounted to $30.4 million. The total of outstanding assessed contributions for all peacekeeping missions at that date amounted to $1.7 billion.

IX. OBSERVATIONS

39. The setting of a date for Haiti's long-delayed legislative and local elections is a significant step forward. However, the Conseil electoral provisoire will face a number of formidable organizational and technical challenges in planning the next elections, including registering some 4 million eligible voters, conducting effective civic education programmes and distributing electoral materials. The active support of the Government of Haiti, Haitian political leaders and the international community to CEP will be essential if the election timetable is to be kept. There is no doubt that a new postponement of the elections would further erode the confidence of the Haitian people in the democratic process.

40. The demonstrations and shooting incidents that have occurred in Haiti in recent weeks have threatened public security and raised fears of increased violence in the run-up to the elections. All political leaders therefore have an obligation to ensure that they and their supporters refrain from any acts of violence or intimidation that would further deepen the current sense of insecurity of the Haitian people. In this regard, the proposal by the President of CEP concerning the adoption by the political leaders of a code of conduct could be of significant importance. The Haitian National Police will have to do its utmost to help ensure that the elections are held in an atmosphere of calm and security. The holding of free and fair elections is vital for the consolidation of the country's still fragile democracy.

41. The Haitian National Police has made significant progress in discharging its responsibilities since the establishment of MIPONUH two years ago. It has strengthened its personnel and assets management, increased its visibility both in the capital and in the departments and enhanced its capacity to take advantage of the aid offered by multilateral and bilateral donors. These achievements are all the more commendable since the police service is still a young force, having been established in 1995 and is the first civilian police force in the country's history. The Haitian National Police leadership, as well as many of its officers, are working diligently under very difficult conditions.

42. While accounts of alleged human rights violations and other misconduct by some police officers remain a cause for concern, recent reports by Amnesty International and the United Nations Special Rapporteur have underscored the generally satisfactory conduct of the police with respect to human rights. The Special Rapporteur nevertheless underlined cases of police brutality and ill treatment during arrest or interrogation, as well as police involvement in gang activities. Efforts need to be made to sustain the professionalization of the Haitian National Police while at the same time improving the country's antiquated and ineffective judicial system.

43. As the mandate of MIPONUH draws to an end, it can be said that the Mission has made important contributions to the institutional development of the Haitian National Police and police reform. The training provided by the Mission and the presence of the civilian police personnel in police stations throughout the country have helped to establish the basis for the development of an independent and professional police service, which should be a cornerstone of a society based on the rule of law.

44. In pursuance of Security Council resolution 1212 (1998), I am preparing to withdraw MIPONUH following the expiration of its mandate, unless the Council decides otherwise. It is critical that the transition between MIPONUH and the successor mission be as smooth and orderly as possible. Accordingly, an appropriate repatriation schedule for the civilian police contingents is being prepared.

45. The termination of the mandate of MIPONUH will mark the end of United Nations peacekeeping in Haiti. However, it is important that the international community continue to be present in the country to assist the Government in the process of democratization. In his letter dated 8 November (see annex II), President Préval expressed appreciation to the United Nations for the

contribution made by MIPONUH. He stressed, however, that the assistance of the international community in the process of democratization, professionalization of the police and reinforcement of the justice system will continue to be necessary. The political support of Member States for the future peace-building activities of the United Nations in Haiti will therefore be essential.

46. During the past two years, MIPONUH has enjoyed the support and respect of the overwhelming majority of the Haitian people and received full cooperation from President Préval and the Haitian authorities in its efforts to accomplish its mandate. I am confident that the same level of support will be extended by them to the successor mission.

47. In conclusion, I would like to commend my Representative and Head of Mission, the Deputy Representative and the Police Commissioner, as well as the international and local staff of MIPONUH and the Executive Director of MICIVIH and his staff, for their continued efforts in support of United Nations activities in Haiti. I would also like to take this opportunity to cite the valuable contribution of the Friends of Haiti to the Mission.

Annex I

Composition of the United Nations Civilian Police Mission in Haiti as at 17 November 1999

Country	Special Police Unit	Civilian police
Argentina	138	4
Benin	-	11
Canada	-	21
France	-	36
Mali	-	19
Niger	-	5
Senegal	-	8
Togo	-	7
Tunisia	-	3
United States of America	-	29
Subtotal	138	143
Total	281	

Annex II

[Original: French]

I have the honour to refer to the imminent expiration of the mandate of the United Nations Civilian Police Mission in Haiti (MIPONUH), established pursuant to Security Council resolution 1212 (1998) of 25 November 1998 to, inter alia, assist in the professionalization of the Haitian National Police through mentoring and by strengthening the capability of the central directorate of the police force to manage aid provided to it from bilateral and multilateral sources.

In this connection, I have pleasure in thanking the United Nations for deploying the Mission, which has made a valuable contribution to enhancing police performance and the country's stability. However, in order to build on the work already done, the international community's support in this area will continue to be necessary.

Accordingly, the Republic of Haiti would like an institutional support mission to be set up, whose members would be neither uniformed nor armed, to support the democratization process and assist the Government of Haiti in strengthening the judiciary and professionalizing the Haitian National Police.

(Signed) René PREVAL

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LETTER DATED 18 NOVEMBER 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 27 September to 26 October 1999.

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Monthly report to the United Nations on the operations of the Kosovo Force

1. Over the reporting period (27 September-26 October), troops of the Kosovo Force (KFOR) continued their deployment into the theatre. As at 26 October, there were 49,517 troops in place. Seventeen countries members of the North Atlantic Treaty Organization (NATO) have now completed their deployments. On 8 October, General Dr. Klaus Reinhardt assumed command of KFOR from the outgoing commander, Lieutenant General Sir Michael Jackson.

2. Argentina, Azerbaijan and Georgia completed their deployments over the reporting period. Russian deployment into the town of Orahovac continues to be hampered by ongoing demonstrations and roadblocks set up around the town by various groups of ethnic Albanians. Efforts to resolve the problem are ongoing.

Security

3. Overall, criminal and violent acts decreased over the period. Acts of aggression against KFOR personnel decreased significantly, despite an upswing in the second week of October, which coincided with an upswing in attacks by Kosovar Albanians against Kosovar Serbs. In the period since then, attacks on Kosovar Serbs decreased, although attacks on Serb property, including arson attacks, continued. The protection of minorities remains one of the highest priorities for KFOR. Over 50 per cent of KFOR personnel are involved. KFOR troops provide a permanent presence in Serb towns, villages, neighbourhoods and even in individual houses. Checkpoints and patrols are organized in key areas to provide security and instil a feeling of confidence in the community. Ethnic tension remains, however, particularly in areas where Kosovar Serbs and Kosovar Albanians live in close proximity, as is the case in Kosovska Mitrovica, where there were a number of clashes over the reporting period.

4. On 28 September, a grenade attack near the market place in Kosovo Polje resulted in the death of two Kosovar Serbs and serious injuries to 50 others. In the immediate aftermath, additional KFOR troops and platoons from the Multinational Specialized Unit deployed into the town. KFOR will continue to seek to improve the security situation, to protect all the communities in Kosovo, and to deter violence.

5. KFOR continues to work closely with the United Nations Mine Action Coordination Centre and other demining organizations, and is currently conducting mine awareness training in an effort to teach the local population of the dangers of mines and unexploded ordnance. KFOR continues to focus on eradicating the threat posed by cluster bomb units and on clearing border crossing sites, and hopes to mark all areas and clear as many as possible before the onset of the first snow. As at 22 October, 6,130 anti-personnel mines, 3,481 anti-tank mines and 7,408 bomblets had been cleared. Residual caches of weapons continue to be discovered and confiscated throughout the area of operation. KFOR began the destruction of confiscated weapons on 15 October.

Until 30 November, KFOR will accept the voluntary handing in of all weapons and military ordnance by the local population.

Cooperation and compliance by the parties

6. Since demilitarization on 21 September, the Kosovo Liberation Army (KLA(UÇK)) has ceased to exist. The Kosovo Protection Corps (KPC), which came into being at that time, will be a multi-ethnic civil emergency agency, with no law enforcement role, under the authority of the Special Representative of the Secretary-General of the United Nations. KPC is under the day-to-day operational direction and supervision of KFOR and is currently in a 60-day transition phase, to be completed by 21 November. Progress to date has been hampered by inadequate funding for the training and operation of the new Corps.

7. During the reporting period, Serb security forces continued to comply with the terms of the military-technical agreement and in general remain cooperative in their dealings with KFOR. Seasonal military training by the Serb forces continues and this has, on some occasions, brought elements of their forces close to the ground safety zone. On the night of 25/26 October, a minor incident occurred when three Yugoslav Army soldiers, apparently lost, entered Kosovo in the Multinational Brigade (West) area. They were detained for the night, before being returned to the Yugoslav Army on 26 October. A formal protest was sent to the staff of the Yugoslav Army.

Cooperation with international organizations

8. KFOR continues to provide humanitarian assistance throughout Kosovo on a daily basis, focusing on transportation, food distribution and the protection and escort of refugees and internally displaced persons. KFOR is assisting the United Nations winterization emergency team so as better to coordinate common activities. In this respect, an exercise was held on 20 October, which simulated KFOR emergency support to the population, pursuant to request from the United Nations High Commissioner for Refugees. KFOR has also been working to facilitate the flow of humanitarian aid by building a bypass at the Deneral-Jankovic border crossing. Work on the bypass is almost complete.

9. With the police force of the United Nations Interim Administration Mission in Kosovo (UNMIK) numbering 1,747 at the end of October, civil administration in the area of public security remains principally a KFOR responsibility. KFOR provides soldiers for joint patrols with the UNMIK police and, as noted above, also continues to patrol in all major urban areas and in the countryside in order to deter crime and instil a sense of personal safety in civilians. KFOR provides daily support to the Kosovo Police School whose first intake of 173 students graduated on 16 October. The next class will start on 22 November.

10. KFOR continues to provide 24-hour control and monitoring on the authorized border-crossing points with Albania and the former Yugoslav Republic of Macedonia,[1] and provides security for the transportation to Pristina of the customs duties collected at the border. Routine border-monitoring operations,

[1] Turkey recognizes the Republic of Macedonia with its constitutional name.

including random searches of vehicles, continue, in accordance with the approach of KFOR to targeting illegal border activity. KFOR will continue to attach high priority to monitoring cross-border movements into Kosovo.

11. KFOR continues to support UNMIK at all levels of the civil administration in Kosovo and is represented in the Kosovo Transitional Council (KTC) and the joint civil commissions. KTC continues to meet, but has been boycotted by the Serbs in protest against the establishment of KPC, which they consider is not multi-ethnic.

12. With respect to infrastructure, KFOR troops are still involved in such tasks as sanitation, securing water supplies and power plant operations. Rail transportation has resumed, operated and maintained by KFOR with funds from the trust fund of the Special Representative of the Secretary-General and the Government of Japan. Pristina airport was opened to commercial traffic on 15 October. Commercial flights, which had been suspended on 20 October, resumed on 28 October.

Return of refugees and displaced persons

13. Almost 90 per cent of some 900,000 refugees in regional and third countries have now returned to Kosovo. During the month of September, 10,000 refugee returns were organized, 700 from the Balkans and the rest from third countries. The Serbs in Kosovo, however, remain largely isolated and dependent on aid provided by humanitarian organizations and KFOR for food delivery and medical care.

Outlook

14. There has been no significant change in the security situation in Kosovo since the most recent report. Attacks against ethnic minorities, especially Kosovar Serbs, remain a concern, and the potential exists for tension in areas such as Mitrovica and Orahovac to escalate and spread. KFOR will continue to work in close cooperation with UNMIK to address these and other issues in order to maintain peace and stability.